

# EXHIBIT E

1 UNITED STATES DISTRICT COURT  
 2 FOR THE NORTHERN DISTRICT OF OHIO  
 3 EASTERN DIVISION

4 IN RE: NATIONAL ) MDL No. 2804  
 5 PRESCRIPTION OPIATE )  
 6 LITIGATION ) Case No.  
 7 ) 1:17-MD-2804  
 8 )  
 9 THIS DOCUMENT RELATES TO ) Hon. Dan A.  
 10 ALL CASES ) Polster  
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 Tuesday, May 14, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
 CONFIDENTIALITY REVIEW

Videotaped Deposition of JAMES E.  
 RAFALSKI, VOLUME 2, held at Weitz &  
 Luxenburg PC, 3011 West Grand Avenue, Suite  
 2150, Detroit, Michigan, commencing at  
 8:25 a.m., on the above date, before  
 Michael E. Miller, Fellow of the Academy of  
 Professional Reporters, Registered Diplomate  
 Reporter, Certified Realtime Reporter and  
 Notary Public.

GOLKOW LITIGATION SERVICES  
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1 reviewed any particular orders, and I think  
2 your answer in substance is no, you didn't  
3 review any particular orders that might or  
4 might not have been suspicious.

5 Is that generally true?

6 A. That's generally true, that's  
7 my recollection is I answered that way  
8 previously, too, yes, sir.

9 Q. And with respect to any of the  
10 orders that are flagged by these  
11 methodologies under your and Mr. McCann's  
12 analysis, you don't know what happened to any  
13 of the drugs that were actually shipped and  
14 delivered to CVS Pharmacies?

15 A. I don't have any direct  
16 knowledge of what happened to any of the  
17 drugs that were distributed to each of the  
18 pharmacies. I didn't conduct any analysis as  
19 of today that would give me that knowledge.

20 Q. And you don't know whether -- I  
21 understand that your opinion is that the due  
22 diligence was insufficient by CVS, and we'll  
23 get to that in a minute.

24 But you don't know whether any  
25 of these orders would have cleared a due